

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TWENTY-ONE FIREARMS AND
MISCELLANEOUS AMMUNITION
SEIZED FROM SAMUEL SCOTT SINCLAIR,

Defendant,

CARLOS SAM SINCLAIR,

Intervenor Defendant.

CASE NO. C05-3044 MWB

JUDGMENT IN A CIVIL CASE

This matter came before the Court and

IT IS ORDERED AND ADJUDGED,

Judgment is entered in accordance with the attached Decree of Forfeiture.

Dated: April 23, 2007

Pridgen J. Watkins

Clerk

s/src

(By) Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
CENTRAL DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. C 05-3044MWB
)	
vs.)	
)	
TWENTY-ONE FIREARMS AND)	
MISCELLANEOUS AMMUNITION)	
SEIZED FROM SAMUEL SCOTT)	
SINCLAIR,)	
)	
Defendants.)	

DECREE OF FORFEITURE

The parties having resolved this matter pursuant to a court hearing held on January 31, 2007, in the following manner;

1. That the following firearms were returned to the claimant Carlos Samuel Sinclair on April 4, 2007, pursuant to the February 20, 2007, order entered by the Honorable John A. Jarvey:

- a. an Ithaca Gun Co. Inc. shotgun, 12 gauge, Model 37, Feather light, serial number 371639322;
- b. a Remington, shotgun, 12 gauge, Model 870 Express Super Magnum, serial number C504153A;
- c. a Taurus, revolver, .44 Magnum caliber, serial number N1121643 or Ni121643;
- d. a Smith & Wesson, pistol, 10 mm caliber, Model 1006, serial number TEV9462;

- e. a Savage, rifle, 7mm caliber, Model 110, serial number F793470;
 - f. an Ithaca, shotgun, 20 gauge, Model 37, Feather light Deer Slayer, serial number 371882882; and
 - g. a Browning, shotgun, 12 gauge, serial number 23863.
2. That the Ruger, rifle, .223 caliber Model Ruger Range, serial number 195-43761 listed in Judge Jarvey's February 20, 2007, order to be returned to the claimant Carlos Samuel Sinclair was not returned as it was destroyed by the Webster County Sheriff's Office which the claimant was aware of.
3. That the Ruger, rifle, 10/22 carbine rifle, serial number 241-20813 shall be returned to the claimant Carlos Samuel Sinclair.¹
4. No other claims have been filed by any third parties other than Carlos Samuel Sinclair.
5. The United States published notice of this civil forfeiture action on October 3, 2005, October 7, 2005, and October 17, 2005, in the Daily Freeman-Journal in Webster City, Iowa.

¹This firearm was included in the Verified Complaint for Forfeiture filed on July 21, 2005. This firearm, however, was not included in Judge Jarvey's order of February 20, 2007, to be returned to the Claimant. Claimant has asserted that this Ruger firearm is the one he wanted returned to him rather than the Ruger that had already been destroyed and was included in Judge Jarvey's order of February 20, 2007. The Government has agreed to return this firearm to the claimant although it was not included in Judge Jarvey's February 20, 2007, order.

IT IS HEREBY ORDERED:

6. That the following firearms and ammunition are forfeited to the United States of America:

- a. a Savage Arms Corp. shotgun, Model 39A, Springfield, no serial number found;
- b. an unknown manufacturer .410 shotgun, serial number A31181;
- c. an unknown manufacturer 12 gauge shotgun, Model HL12-102, serial number 9514706;
- d. a Mossberg & Sons, Inc. .410 shotgun, Model 183D, no serial found;
- e. a Savage 12 gauge shotgun, Model 94 Series K, serial number A942679;
- f. a Savage .22 caliber rifle, Model 5, no serial number found;
- g. a Marlin .22 caliber rifle, Model 783, serial number 19750018;
- h. a Marlin 30-30 caliber rifle, Model 336CS, serial number 12037258;
- i. a New England Firearms 20 gauge shotgun, Model Pardner Tracker II, serial number NM286548;
- j. a Harrington and Richardson .410 gauge shotgun, Model Topper 88, serial number AU545600;

- k. a Harrington and Richardson .22 caliber rifle, Model 755, Sahara,
no serial number found;
- l. an Enfield .303 rifle, no serial number found;
- m. a Cotter & Company .22 caliber rifle, Model 45, serial number
69291399;
- n. 764 rounds of assorted ammunition;
- o. 25 rounds of Remington 12 caliber ammunition;
- p. 13 rounds of Remington 7 caliber ammunition;

7. That the United States (or its designee), the Bureau of Alcohol, Tobacco, Firearms, and Explosives shall dispose of the defendant firearms and ammunition referenced in subparagraphs (a) through (p) of paragraph 6.

8. That judgment be entered in favor of the United States for forfeiture of the firearms and ammunition referenced in subparagraphs (a) through (p) of paragraph 6, the remaining firearms having been disposed of and or returned to claimant Carlos Sam Sinclair.

Ordered this 8th day of April, 2007.



Mark W. Bennett, Judge
United States District Court
Northern District of Iowa

Approved as to form and content:



Martin J. McLaughlin
Assistant United States Attorney



Samuel Killinger
Attorney for Claimant, Carlos Sinclair